UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

-----X 21 MC 102 (AKH)

Hon. Alvin K. Hellerstein,
U.S.D.J.

RULE 7.1 STATEMENT OF
TULLY CONSTRUCTION

CO., INC.

Pursuant to Federal Rule of Civil Procedure 7.1 and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for Tully Construction Co., Inc. certifies that Tully Construction Co., Inc. is a privately held company and that no parent corporation or publicly held corporation owns any interest therein.

Dated: Newark, New Jersey August 6, 2007 PATTON BOGGS LLP

By: /s
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